



PATENT
Attorney Docket No. P1299CON3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David A. Hammond

Application No. 09/963,734 ✓

Filed: September 26, 2001

For: EMERGENCY RELIEF SYSTEM

Art Unit: 3728

Examiner: Jila M. Mohandesi

#10/11/03 + appeal
Notice
gwas 11/10/03

TECHNOLOGY CENTER R3700

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NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed August 4, 2003, rejecting the following claims: 1-10.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is for: ☐ other than a small entity or ☒ a small entity.

01/30/2004 MAHME1 00000011 09963734

01 FC:2401

165.00 DP

Notice of Appeal Fee due \$165.00

01/30/2004 MAHME1 00000011 09963734

02 FC:2253

475.00 DP

CERTIFICATE OF MAILING
UNDER 37 CFR § 1.10

Date of Deposit: January 27, 2004

Mailing Number: EU905098142US

I hereby certify that the following Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences along with its enclosures is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Carlos Coronado

Carlos Coronado

3 mos. granted for

3. Extension of Time

- ☒ Applicant petitions for a three-month extension of time under 37 CFR 1.136(a), the fee for which is \$475.00.
- ☐ An extension for one month has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$475.00

4. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$165.00
Extension Fee (if any)	\$475.00

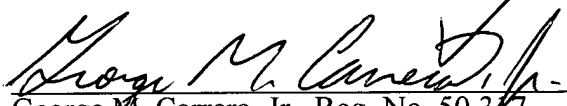
Total Fee Due: \$640.00

5. Fee Payment

- ☒ Attached is a check in the sum of \$640.00.
- ☐ Charge Account No. 07-0181 the sum of \$. A duplicate of this transmittal is attached.

6. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 07-0181. A duplicate of this transmittal is attached.


George M. Carrera, Jr., Reg. No. 50,377
Patent Agent
GARDNER CARTON & DOUGLAS LLP
191 N. Wacker Drive, Suite 3700
Chicago, IL 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)

Date: January 27, 2004



**EXPRESS MAILING CERTIFICATE
UNDER 37 CFR § 1.10**

Date of Deposit: January 27, 2004

"Express Mail" Mailing Number: EU905098142US

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Title: EMERGENCY RELIEF SYSTEM

Inventor: David A. Hammond

Application No.: 09/963,734

Filed: September 26, 2004

Enclosed:

1. Transmittal Form (1 pg)
2. Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences (2 pgs) and duplicate thereof (2 pgs)
3. Check in the amount of \$640.00
4. Return postcard

Carlos Coronado
Typed or Printed Name


Signature

Attorney Docket No. **P1299CON3**
Client No. 081361/0002

CH02/22288979.1

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PTO/SB/21 (6-98)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/963,734	
	Filing Date	September 26, 2001	
	First Named Inventor	David A. HAMMOND	
	Group Art Unit	3728	
	Examiner Name	Jila M. Mohandesi	
Total Number of Pages in This Submission	6	Attorney Docket Number	P1299CON3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Certificate of Mailing under 37 CFR 1.8; Post Card
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	George M. Carrera, Jr., Reg. No. 50,317 Gardner Carton & Douglas LLP	
Signature		
Date	January 27, 2004	

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CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date <u>January 27, 2004</u> .			
Typed or printed name	Carlos Coronado		
Signature		Date	January 27, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.